

IN RE: PETITION FOR SPECIAL HEARING
E/S Wampler Road, 254' S of
the c/1 of Bird River Road
(1109 Wampler Road)
15th Election District
5th Councilmanic District
Thomas J. Olszewski, et ex
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-331-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve the nonconforming use of the subject property as a contractor's equipment storage yard and garage as indicated on the site plan identified as Petitioner's Exhibit 1.

The Petitioners appeared, testified, and were represented by John B. Gontum, Esquire. Also appearing on behalf of the Petition were Lorraine Freund, Maxine Michalski, John Homberg and Jack Williams, Sr., all neighboring property owners. Appearing as Protestants were George Lauback, Jr. and George Lauback, III.

Testimony indicated that the subject property, known as 1109 Wampler Road, consists of 17,500 sq.ft. zoned D.R. 1 and is improved with a single family dwelling and a one story garage. The garage is located to the rear of the subject property and is surrounded by macadam and gravel areas which are used for the storage of equipment used in the operation of a brick and block construction business owned by Mr. Olszewski. The Petitioners testified they were married in 1941 and lived with Mrs. Olszewski's parents, Mr. & Mrs. Lauback, Sr. in the dwelling shown in Petitioner's Exhibit 1 near the north arrow. Petitioners testified in 1947 they built the home and garage on the subject property which was deeded to them by George Lauback, Sr., who is now deceased. At that time, the Petitioners'

lot, the land adjoining their property to the rear, and all of the land to the north was owned by the senior Mr. Lauback. Mr. Olszewski testified he is a brick and block mason and has operated his building contracting and construction business from the rear of the subject property since 1941. At the time he started his business, there was no garage and all equipment used in his operation was stored outside. Mr. Olszewski testified he operated from this location from 1941 until 1944 when he entered the service for a period of approximately 13 months. Testimony indicated all of his equipment remained stored on the property during that time until his return from the service in 1945. Testimony indicated that Mr. Olszewski resumed operation of his brick and block business from this location. In 1947, Mr. Lauback, Sr. gave the Petitioners the property shown in Petitioner's Exhibit 1 on which the Petitioners built the existing dwelling and garage. Mr. Olszewski testified that a portion of the basement was finished off to provide office space for the operation of his business. Testimony indicated that a few years ago, he moved his family from the subject property to a new home in Pennsylvania. However, the existing dwelling is still used as a single family dwelling unit, which is currently rented to a relative, and the office space in the basement is still used for the operation of the business. Mr. Olszewski testified that from the 1940s through the 1970s, the business operated under the name of Olszewski, but was later changed to Thomas Contracting Company. However, the business continued to operate solely as a brick and block masonry company and the equipment stored was ordinary and incidental to the business. No supplies or excess brick or block are stored on the property and there are no sand or gravel piles. The only purpose for the on-site storage areas are for the pick-up trucks and small pieces of equipment such as two-bag cement

mixers, and miscellaneous tools associated with such business. Mr. Olszewski testified he has stored a trailer for hauling tractors, known as a low-boy, on the site. However, there are no large dump trucks, cranes or earth-moving equipment stored onsite. At one time, there were brick conveyors and front-end loaders stored on the site but none of those items are stored there now. The property has always been used as the base of operation for Mr. Olszewski's employees, who have never numbered more than four, and only come to the site to pick up equipment or meet to go out to various job sites. Employees sometimes leave their personal vehicles parked onsite during the day.

Mrs. Freund testified that she has lived next door to the subject property since prior to 1940. She specifically remembers Mr. Olszewski's business operation during and after the second World War. She testified the operation of the business has not changed in any dramatic way since the early 1940s. She agreed and concurred with all of the testimony presented by Mr. Olszewski as to the nature and scope of his business operation. Further, Mrs. Freund believes to the best of her knowledge that the area to the rear and side of the existing garage has been used on a regular basis since the early 1940s for the storage of equipment used in connection with Mr. Olszewski's business.

Mr. Homberg testified that he has known the Petitioners' family and has been familiar with the subject property since the late 1920s. He remembers Mr. Olszewski building the existing dwelling. Mr. Homberg also agreed with Mr. Olszewski's testimony as to the scope and nature of the business and testified the property's use has not changed substantively since the early 1940s. Mr. Homberg testified there has always been a

brick contracting company on site and that it has always been a small operation confined to the garage and surrounding storage areas.

Testimony presented by Mr. Michalski and Mr. Williams indicated the scope and nature of the subject business is consistent with that described by Mr. Olszewski and other witnesses. However, their knowledge of the subject property does not predate the inception of the zoning regulations in 1945. The affidavit submitted as Petitioner's Exhibit 4 does not pre-date the zoning regulations but supports testimony back to 1947.

Testimony presented by George Lauback III, a Protestant in this matter, indicated he is Mrs. Olszewski's nephew and lives immediately next door to the subject property at 1111 Wampler Road. Testimony indicated his dwelling is also constructed on a parcel of land originally owned by George Lauback, Sr. Mr. Lauback III testified he is opposed to recent changes in the subject property. He testified in opposition to the fence shown in photographs identified as Petitioner's Exhibits 38 and 39 and indicated the storage areas in the two locations outlined on Petitioner's Exhibit 1 have been expanded. Mr. Lauback III testified there was never any storage along the side of the driveway on the south side of the property as shown in Petitioner's Exhibit 30. He further claims there was never any storage on the north side of the garage in the area to the rear of the existing dwelling and indicated that area was always used by the family in conjunction with the residential use of the property. He testified the storage areas are being expanded in size and scope. Mr. Lauback III is also opposed to employees meeting on the subject property prior to going out to various job sites as it disrupts the enjoyment of his property. He testified he works at night and is therefore asleep during the day when the storage areas are actively in use. Mr. Lauback, Jr., Mrs. Olszewski's

brother, did not testify, but noted his opposition to granting a nonconforming use to the subject property.

Zoning came officially to Baltimore County on January 2, 1945, when, pursuant to previous authorization by the General Assembly, the County Commissioners adopted a comprehensive set of zoning regulations.

The Commissioners were first authorized to adopt comprehensive planning and zoning regulations in 1939 (Laws of Maryland, 1939, ch. 715). At the next biennial session of the General Assembly, this authorization was repealed, and a new authorization was enacted (Laws of Md., 1941, ch. 247). Before any such regulations were issued, the Legislature authorized the Commissioners to make special exceptions to the regulations (Laws of Md., 1943, ch. 877). The first regulations were adopted and took effect on January 2, 1945. See *Kahl v. Cons. Gas Elec. Light. and Pwr. Co.*, 131 Md. 249, 254, 60 A.2d 754 (1948); *Calhoun v. County Board of Appeals*, 262 Md. 265, 277 A.2d 589 (1971).

Section II of those regulations created seven zones, four being residential, one commercial, and two industrial. See *McKern v. Baltimore County, Md.*, 39 Md. App. 257, 385 A.2d 96 (1978).

Those original regulations provided for nonconforming uses. The statute read as follows:

"A lawful nonconforming use existing on the effective date of the adoption of these regulations may continue, provided, however, upon any change from such nonconforming use to a conforming use, or any attempt to change from such nonconforming use to a different nonconforming use or any discontinuance of such nonconforming use for a period of one year, or in case a nonconforming structure shall be damaged by fire or otherwise to the extent of seventy-five (75%) percent of its value, the right to continue to resume such nonconforming use shall terminate, provided, however, that any such lawful nonconforming use may be extended or enlarged to an extent not more than once

again the area of the land used in the original nonconforming use." Section XI, 1945, B.C.Z.R.

Baltimore County adopted a new set of comprehensive zoning regulations on March 30, 1955. The issue of nonconforming uses are dealt with in Section 104 of those regulations. The Section then read:

"104.1 - A lawful nonconforming use existing on the effective date of the adoption of these regulations may continue; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75%) percent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure and no nonconforming use of a building, structure, or parcel or land shall hereafter be extended more than 25% of the ground floor area of buildings so used."

Section 104.1 was changed to its current language on March 15, 1976 by Bill No. 18-76. The current effective regulation reads as follows:

"A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these Regulations; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75%) percent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure and no nonconforming use of a building, structure, or parcel of land shall hereafter be extended more than 25% of the ground floor area of buildings so used. (B.C.Z.R., 1955; Bill No. 18, 1976)"

On August 4, 1980, the current language found in Section 104.2 was added to the B.C.Z.R. by Bill No. 167-80. This regulation placed an exception upon the general nonconforming rule for Special Exception office buildings. The second reads as follows:

"Exception. Any contrary provision of these regulations notwithstanding, an office building that was authorized by grant of a special exception and that becomes damaged to any extent or destroyed by casualty may be fully restored in accordance with the terms of the special exception. (Bill No. 167, 1980)"

As with all non-conforming use cases, the first task is to determine what lawful non-conforming use existed on the subject property prior to January 2, 1945, the effective date of the adoption of the Zoning Regulations and the controlling date for the beginning of zoning.

It is clear from the testimony and evidence presented that a building contractor existed on the site prior to January 2, 1945.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the nonconforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered nonconforming. See *McKern v. Baltimore County, Md.*, 39 Md. App. 257, 385 A.2d 96 (1978).

While there may have been a change in the degree and type of activity taking place on the subject property over the years, its principal use as a contractor's equipment storage yard has remained the same.

When the claimed non-conforming use has changed, or expanded, then the Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the non-conforming use, the Zoning Commissioner should consider the following factors:

"(a) To what extent does the current use of these lots reflect the nature and purpose of the original non-conforming use;

(b) Is the current use merely a different manner of utilizing the original non-conforming use or does it constitute a use different in character, nature, and kind;

(c) Does the current use have a substantially different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original non-conforming use."

In response to the comments submitted by the Office of Planning regarding conditions which should be met by the subject property in considering their request for a nonconforming use, the testimony and evidence presented at the hearing indicated the hours of operation have always been limited to Monday through Saturday, from approximately 6:00 AM to 6:00 PM. The types and quantities of equipment stored have always been of a small nature and there have never been any large tractor trailers, dump trucks or commercial vehicles stored on the subject property. The property has always been used for the storage of small trucks and brick masonry equipment. The storage of larger equipment, such as brick conveyors and fork lifts, has been discontinued. There is no evidence of any exterior lighting existing on the subject property.

Further, the Zoning Commissioner is of the opinion that there could be more adequate screening and landscaping provided. There was no testimony indicating the nonconforming use request included the repair and maintenance of equipment used in the business. In addition, testimony indicated employees have always met at the subject property prior to leaving for their respective job sites. Finally, there is no evidence that any work in connection with the brick and masonry construction business is performed on the subject property.

While the testimony presented by the Protestant would tend to indicate that the use of the property has changed, the issue in this instance regards the expansion or intensification of such use of the property. It is clear from the evidence presented that the use of the property as a contractor's equipment storage yard has expanded or intensified to the front portion of the property along Wampler Road and along the south side of the existing dwelling and such are not part of the nonconforming use. However, it is equally clear from the testimony presented that a brick and block business has operated from the subject property continuously and without interruption since at least 1941. In the opinion of the Zoning Commissioner, a nonconforming use of the subject property as a contractor's equipment storage yard and garage, including the area to the rear of the garage, identified as Equipment Storage Area on Petitioner's Exhibit 1, exists.

Furthermore, it is clear from the testimony that the nonconforming use never extended to the front or side yards of the dwelling unit and that the storage areas were always to the rear of the property. In the opinion of the Zoning Commissioner, the north side or front areas of the garage were never used as storage until recently. These areas have always been used jointly for family purposes and as access to the storage areas to the rear of the garage. Therefore, these areas are not nonconforming and should not be used for the storage of equipment. Accordingly, said space will only be used for residential purposes and as access to the storage areas.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the Petition for Special Hearing should be granted.

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THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 04th day of April, 1989 that the Petition for Special Hearing to approve the nonconforming use of the subject property as a contractor's equipment storage yard with office space in the basement of the existing dwelling, and a garage in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The nonconforming use granted herein is limited to that area outlined in yellow on the revised copy of Petitioner's Exhibit 1 attached hereto and identified as Zoning Commissioner's Plan.
- 3) The area outlined in orange on the Zoning Commissioner's Plan shall be jointly used for residential purposes and as access only to the storage areas to the rear of the property. There shall be no storage or parking of contractor's equipment on this portion of the property.
- 4) There shall be no storage or parking of contractor's equipment on the front portion of the subject property in the area outlined in blue on the Zoning Commissioner's Plan.
- 5) Petitioners shall provide a buffer along the north side property line by landscaping the area outlined in green on the Zoning Commissioner's Plan with a 4-foot wide planting strip bordered by an 8-inch raised curb. Said planting strip shall consist of 6-foot tall white pine trees planted 6 feet on center.
- 6) The office space in the basement of the existing dwelling shall be limited to a 350 sq.ft. area. Said area shall not be used as storage space for contractor's tools and/or equipment.
- 7) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement

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and Division to make an inspection of the subject property to insure compliance with this Order.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

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205 PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-331-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a special hearing under Section 501.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve Non-Conforming use for a contractor's equipment storage yard and garage as indicated on site plan.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Thomas J. Olaszewski
Signature	<i>Thomas J. Olaszewski</i>
Address	Ethel S. Olaszewski
City and State	(Type or Print Name)
Attorney for Petitioner:	Signature
John B. Gontrum	
(Type or Print Name)	1109 Wampler Road 687-4971
Address	Baltimore, Maryland 21220
City and State	City and State
809 Eastern Boulevard	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Essex, Maryland 21221	
City and State	Name
Attorney's Telephone No.: 686-8274	Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of Dec, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 105, County Office Building in Towson, Baltimore County, on the 21st day of Feb, 1989, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

(over)

205 AC AZIMUTH CONSULTANTS

ZONING DESCRIPTION

Beginning on the East side of Wampler Road, 20 feet wide, at a distance of 254 feet south of the centerline of Bird River Road, thence leaving said road

- 1) North 83 degrees 13 minutes 27 seconds East 175.00 feet, thence
 - 2) South 06 degrees 46 minutes 33 seconds East 100.00 feet, thence
 - 3) South 83 degrees 13 minutes 27 seconds West 175.00 feet to the east side of Wampler Road, thence with said road,
 - 4) North 06 degrees 46 minutes 33 seconds West 100.00 feet to the point of beginning.
- Containing 17,500 square feet or 0.4 acres of land, more or less.

Also known as 1109 Wampler Road in the 15th Election District of Baltimore County, Maryland.

120 Cockeysville Road / Suite 105 / Hunt Valley, Maryland 21031 / (301) 785-8300

PETITIONER(S) EXHIBIT (2)



From 1950

\$2625

Notice of Hearing
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 105 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Special Hearing
CASE NUMBER 89-331-SPH
1109 Wampler Road, 15th Election District
1109 Wampler Road
15th Election District - 15th Council District
Petitioner(s): Thomas J. Olaszewski, et al.
HEARING SCHEDULED: TUESDAY, FEBRUARY 21, 1989 at 2:00 P.M.
Special Hearing. Non-conforming use for a contractor's equipment storage yard and garage as indicated on site plan.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. Robert Haines
Zoning Commissioner of Baltimore County

The Times

Middle River, Md., Feb 2 1989
This is to Certify, That the annexed
John M. Ryan
Pg. M 219
was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 21st day of Feb, 1989
John M. Ryan Publisher.

PETITIONER(S) EXHIBIT (3)



A HOUSE FROM REAR SIDE



B HOUSE FROM FRONT SIDE



C HOUSE FROM SIDE



D HOUSE FROM SIDE

PETITIONER(S) EXHIBIT (3)



E HOUSE FROM SIDE



F HOUSE FROM SIDE

89-331-SPH
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
21st day of December, 1988.

J. Robert Haines
ZONING COMMISSIONER

Petitioner: Thomas J. Olaszewski, et ux
Petitioner's Attorney: John B. Grontrum, Esquire

Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

ZONING COMMISSIONER'S PLAN
PETITIONER'S EXHIBIT 1

SPECIAL HEARING PLAT
FOR
NON-CONFORMING USE
1109 WAMPLER ROAD
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

Azimuth Consultants
180 Cockeysville Road, Suite 105
Hunt Valley, MD 21031
Scale: 1" = 50' Date: 11/4/88

WAMPLER (20' RW) ROAD

USED REFERENCE - TWA 1574/355
EXISTING UTILITIES IN WAMPLER ROAD
LOT SIZE - 17,500 S.F. (0.4 AC.)
OWNER - THOMAS J. & ETHEL OLASZEWSKI

WAMPLER (20' RW) ROAD

1109 WAMPLER ROAD

15TH ELECTION DISTRICT

BALTIMORE COUNTY, MD

1109 WAMPLER ROAD

15TH ELECTION DISTRICT

BALTIMORE COUNTY, MD

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 405
Towson, Maryland 21204
(801) 887-3354

January 17, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 199, 205, 209, 237, 238, 239, 240, 241, 243, 244, 245, 246, and 247.

Michael S. Flanigan
Traffic Engineer Associate II

MSF/lw

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

To: J. Robert Haines
Zoning Commissioner
Date: February 13, 1989

From: Pat Koller, Deputy Director
Office of Planning and Zoning

Subject: Olaszewski
Zoning Petition No. 89-331-SPH

The petitioner is requesting a special hearing to legally establish an equipment storage yard and garage that has existed on the site.

Due to inadequate information and details, staff does not submit a recommendation. If this request is considered, however, conditions should be applied that:

- 1) limit the hours of operation or use of the area; and
- 2) limit the types and quantities of equipment stored at the site; and
- 3) limit lighting on the site; and
- 4) assure adequate screening, landscaping; and
- 5) assure limits on noise, dust; and
- 6) provide screening (landscaping) from Wampler Pond; and
- 7) the special exception shall only apply to this use for this owner and is not transferable to future owners, and shall be restored to its natural state in the event of sale; and
- 8) the site shall not be used for work on equipment and employees shall not work or meet at the site.

PK/sf

RECEIVED
FEB 13 1989
ZONING OFFICE

cc John B. Grontrum, Esq.
2/14/89

CPS-008

Baltimore County
Public Department
Towson, Maryland 21204 2686
494-4500

Paul H. Reincke
Chief

December 29, 1988

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: Thomas J. Olaszewski, et ux
Location: E/S Wampler Rd., 254' S. of c/l of Bird River Road
1109 Wampler Road
Item No.: 205 Zoning Agenda Meeting of 12/20/88

Dennis F. Rasmussen
County Executive

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Paul H. Reincke* NOTED & APPROVED: *James E. Dyer*
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 6, 1989

County Office Bldg.
111 W. Chesapeake Ave.
Towson, Maryland 21204

John B. Grontrum, Esquire
809 Eastern Boulevard
Essex, MD 21221

RE: Item No. 205, Case No. 89-331-SPH
Petitioner: Thomas J. Olaszewski, et ux
Petition for Special Hearing

Dear Mr. Grontrum:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosure

cc: Mr. & Mrs. Thomas J. Olaszewski
1109 Wampler Road
Baltimore, MD 21220